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Department of State

INCOMING TELEGRAM

1682

PAGE 01 GEORGE 00634 1014362 7132 GEORGE 00634 - 1014362
ACTION L-03

INFO OLT-01 ARA-15 ISO-00 JUSE-00 SSO-00 PA-02 ICA-20
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O 1014122 FEB 79
FM AMEMBASSY GEORGETOWN
TO SECSTATE WASHDC IMMEDIATE 8954

UNCLAS GEORGETOWN 0634

FOR L/ARA FORTUNE

E.O. 12065: NA
TAGS: OREP: OREP (RYAN, LEO) PEOPLE'S TEMPLE, GY
SUBJ: GUYANESE GOVERNMENT FILES LEGAL CHARGES FOR RECOVERY OF DAMAGES FROM PEOPLE'S TEMPLE

1. THE GOVERNMENT-OWNED RADIO ON THE EVENING OF FEBRUARY 9 REPORTED THAT THE ATTORNEY GENERAL AND GUYANA AIRWAYS CORPORATION HAS FILED SUIT IN THE SUPREME COURT FOR THE FREEZING OF THE ASSETS OF THE PEOPLE'S TEMPLE AND ITS BOARD OF DIRECTORS MEMBERS PAULA ADAMS AND DEBORAH TOUCHETTE AND FOR THE RECOVERY OF DAMAGES RESULTING FROM THE NOVEMBER 18 JONESTOWN TRAGEDY. EMBASSY COMMENTS WILL FOLLOW. THE TEXT OF THE NEW BROADCAST IS GIVEN BELOW.

2. BEGIN TEXT:

THE ATTORNEY GENERAL AND GUYANA AIRWAYS CORPORATION THIS AFTERNOON (FEBRUARY 9) FILED AN ACTION IN THE SUPREME COURT REGISTRY AGAINST PEOPLE' TEMPLE MEMBERS PAULA ADAMS AND DEBORAH TOUCHETTE AND AGAINST THE BOARD OF DIRECTORS OF THE PEOPLE'S TEMPLE CLAIMING THOUSANDS OF DOLLARS FOR DAMAGE TO AN AIRCRAFT, BREACH OF AN ARRANGEMENT, AND RECOUPMENT OF EXPENSES INCURRED BY THE GOVERNMENT OF GUYANA. ALSO NAMED AS DEFENDENTS OF THE ACTION WERE BARCLAY'S BANK, THE GUYANA NATIONAL COOPERATIVE BANK, AND THE BANK OF GUYANA. THE ATTORNEY GENERAL AND GUYANA AIRWAYS ARE ASKING THE COURT TO RESTRAIN THESE BANKS FROM DISPOSING OF, ASSIGNING, CHARGING, OR OTHERWISE DEALING WITH ANY ASSETS OF ADAMS, TOUCHETTE, AND THE BOARD OF DIRECTORS OF THE PEOPLE'S TEMPLE WHICH THESE BANKS HAVE IN THEIR POSSESSION, CUSTODY, OR CONTROL. THE PLAINTIFFS ARE FURTHER ASKING THAT AN ORDER BE MADE BY THE COURT APPOINTING THE OFFICIAL RECEIVER AS THE RECIVER OF ALL THE ASSETS OF PAULA ADAMS, DEBORAH TOUCHETTE, AND THE BOARD OF DIRECTORS OF THE PEOPLE'S TEMPLE.

THE ATTORNEY GENERAL SINGULARLY IS CLAIMING AGAINST THE PEOPLE'S TEMPLE DAMAGES IN EXCESS OF $500 (GUYANESE) FOR BREACH BY THEM ON AND AFTER NOVEMBER 16, 1976, OF AN IMPLIED TERM TO USE IN A TENANT-LIKE AND PROPER MANNER 3,352 ACRES OF STATE LAND IN THE NORTHWEST REGION OF GUYANA WHICH WAS LEASED TO ADAMS AND/OR TOUCHETTE BY THE STATE ON FEBRUARY 25 1976. THE ATTORNEY GENERAL IS FURTHER CLAIMING AGAINST THE TWO AND AGAINST THE BOARD OF DIRECTORS OF THE PEOPLE'S TEMPLE DAMAGES FOR COMPENSATION IN EXCESS OF $500 IN RESPECT OF COSTS INCURRED BY THE GOVERNMENT OF GUYANA ON AND AFTER NOVEMBER 18 LAST YEAR. ANOTHER CLAIM BY THE ATTORNEY GENERAL AGAINST THE PEOPLE'S TEMPLE IS FOR DAMAGES IN EXCESS OF $500 BY WAY OF RECOUPMENT FOR EXPENSE INCURRED AND CONTINUING TO BE INCURRED BY THE STATE IN ABATING A PUBLIC NUISANCE COMMITTED BY THE DEFENDENTS ON NOVEMBER 18 LAST AT JONESTOWN, NORTHWEST DISTRICT.

GUYANESE AIRWAYS CORPORATION SINGULARLY IS CLAIMING AGAINST ADAMS, TOUCHETTE, AND THE BOARD OF DIRECTORS OF THE PEOPLE'S TEMPLE DAMAGES IN EXCESS OF $500 FOR TRESPASS COMMITTED BY THEM, THEIR SERVANTS, AND/OR AGENCTS TO THE CORPORATION'S AIRPLANE AT THE PORT KAITUMA AIRSTRIP ON NOVEMBER 18 LAST. AND, IN A JOINT CLAIM AGAINST ADAMS AND TOUCHETTE, THE ATTORNEY GENERAL AND GUYANA AIRWAYS ARE ASKING FOR A COURT DECLARATION THAT THE TWO TEMPLE MEMBERS IN THEIR CAPACITY AS MEMBERS OF THE PEOPLE'S TEMPLE ARE NOT COMPETENT TO DISPOSE OF, ASSIGN, CHARGE, OR OTHERWISE DEAL WITH ANY OF THE ASSETS OF THE PEOPLE'S TEMPLE. NEITHER IS THE BOARD OF DIRECTORS OF THE ORGANIZATION COMPETENT TO DO SO. THE PLAINTIFFS ARE ASKING FOR AN INJUNCTION RESTRAINING THEM FROM DISPOSING OF OR OTHERWISE DEALING WITH, THE ASCETS OF THE TEMPLE ORGANIZATION. END TEXT.

3. COMMENT: EMBASSY BELIEVES THE GUYANESE $500 FIGURE IS THE AMOUNT ABOVE WHICH THE SUIT IS DEALT WITH BY THE SUPREME COURT AND UNDER WHICH BY THE MAGISTRATES COURT.
BURKE

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